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17 December 1954

The Director has requested that the CIA Career Council consider whether the Agency should have a uniform policy for the payment of overtime in senior grades. The problem has arisen due to the establishment of different policies by the several components of the Agency in implementing paragraph 5a.2. of Notice

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Attachments:

- 25X1
- a. Notice (See marked paragraphs)
 - b. Memorandum from Assistant Director for Personnel dated 17 December 1954.
 - c. Summary of overtime policies presently in force in the several components of the Agency.

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THIS NOTICE EXPIRES 21 OCTOBER 1955

PERSONNEL

22 October 1954

NOTICE

HOURS OF WORK

OVERTIME AND HOLIDAY WORK

Rescissions: (1) CIA Regulation
(2) Paragraph 4 of

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1. GENERAL

Effective at the beginning of the first pay period which begins after 31 October 1954 substantial increases will occur in overtime compensation in accordance with the provisions of Title II, Public Law 763, 83d Congress, approved 1 September 1954, cited as the "Federal Employees Pay Act Amendments of 1954." As funds are not available to supplement allotments made to each office to cover such increased costs as may develop, it is necessary to re-examine internal office policies as to the authorization and approval of overtime.

2. PURPOSE

The purpose of this Notice is to (a) establish overtime and holiday work policy with respect to the authorization, certification, reporting, and payment of overtime and holiday work performed; (b) set forth the responsibilities of the heads of offices and subordinate supervisors who are delegated administrative responsibilities with respect thereto; and (c) to outline general operating procedures that will provide controls in administering overtime activity.

3. DEFINITIONS

a. OVERTIME WORK

All hours of work officially authorized and performed in excess of forty hours in any administrative workweek shall be considered to be overtime work.

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b. HOLIDAY WORK

All work not exceeding eight hours performed on a holiday designated by Federal statute or Executive order which is not overtime work as defined above shall be considered as holiday work.

c. AUTHORIZATION

Authorization, as used in this Notice, signifies the granting of permission by office heads to incur expense in the performance of overtime or holiday work which is necessary during a specific period.

d. APPROVAL

Approval, as used in this Notice, is the signing of the Report of Overtime and Holiday Work Performed, Form No. 293, by the supervisor certifying that such work has been performed pursuant to prior authorization and that the employees named in the report are entitled to the appropriate compensation in the form of overtime or holiday pay, or compensatory time off in lieu of overtime pay.

e. OFFICE

Office, as used in this Notice, means Senior Staffs or Area Divisions under the jurisdiction of the Deputy Director (Plans), Offices under the jurisdiction of the Deputy Director (Intelligence), Administrative Offices under the jurisdiction of the Deputy Director (Administration), the Office of Personnel, the Office of Communications, and the Office of Training.

f. EMPLOYEE

The word "employee" as used in this Notice shall be construed to include all (1) staff personnel (employees and agents) and (2) contract personnel (employees and agents) when their contracts provide that they will receive overtime and holiday compensation on the same basis as staff personnel.

4. POLICY

- a. Compensation for overtime and holiday work shall be kept to a minimum consistent with work requirements, and overtime and holiday work shall be authorized only when work requirements cannot be satisfactorily completed within the regularly prescribed tours of duty.

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- b. When an employee is required to perform overtime or holiday work, he will be reimbursed or otherwise compensated for such work at the rates established by law and subject to the limitations provided by law.
- c. Overtime and holiday work shall be authorized and approved for whole hours. Payment will be computed for each continuous whole hour of work, and compensatory time off in lieu of overtime compensation will be credited and granted for each whole hour of work.
- d. Payment for overtime and holiday work performed or compensatory time off in lieu of overtime pay shall not be allowed unless the work has been authorized prior to its performance, and the employee concerned has been specifically ordered to perform the work.
- e. Authorization to perform overtime or holiday work shall be evidenced by the execution of Form No. 292, Request for Authorization of Overtime and Holiday Work (Attachment A). This authorization must be obtained in advance of the expense being incurred, except in unusual circumstances when it is possible to obtain only verbal approval in advance. In such event, the formal authorization shall be executed promptly thereafter to confirm the verbal authorization.
- f. Within the limitations stated in paragraph 4g below, compensatory time off in lieu of overtime compensation credited to a full-time employee in accordance with paragraph 5 below may be used at such times and in such amounts as local work conditions permit. While it is desirable that he be given an opportunity to use his compensatory leave at a time desired by him, it is nevertheless the prerogative of the supervisor to make the final decision as to when such time off may be allowed.
- g. Compensatory time off shall be scheduled to be taken as soon as practicable (generally within 90 days) after it has been earned but not later than the end of the leave year in which it was earned; provided, however, that where overtime is earned in the last four calendar weeks of the leave year the compensatory leave must be taken not later than the end of the fourth calendar week of the following leave year. If an employee has been denied opportunity to use compensatory time off during this period because of any condition related to his employment with the Agency and beyond his control, he shall be paid for the overtime at the overtime rate of pay which applied at the time the overtime was performed. In the event of death or involuntary separation of an employee, any unliquidated compensatory time off to his credit which he has been denied opportunity to use shall be paid for at the overtime rate of pay which applied at the time the overtime was performed.

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- h. Hours spent as a student in Agency-sponsored training activities shall be considered as hours of work in determining whether an employee has worked the official workweek of forty hours but may not be considered as hours of work for purposes of overtime pay or compensatory leave. Requests for exception to this policy will be forwarded through normal channels to the Director of Training for recommendation and concurrence and to the Deputy Director (Administration) for approval.

5. COMPENSATION

Employees shall be compensated for officially authorized overtime and holiday work as follows:

a. OVERTIME

- (1) An employee in grade GS-10 or below shall be paid overtime compensation in accordance with the rates and limitations provided by law or may, if he requests it not later than the end of the pay period in which the overtime was worked, be granted compensatory time off from his scheduled tour of duty in lieu of payment. Compensatory time off will be granted for an amount of time equal to that spent in overtime work.
- (2) An employee in grade GS-11 or above normally will be granted compensatory time off in lieu of overtime pay for overtime work within the amounts permitted by law. However, when the head of the office concerned establishes that it is not feasible to grant compensatory time off to an employee in this grade range, he will authorize payment of the appropriate overtime rate within the limitations provided by law.
- (3) Any unscheduled overtime work performed by an employee on a day when no work was scheduled for him or for which he is called back to his place of employment shall be considered to be at least two hours in duration.

b. HOLIDAY WORK

- (1) All holiday work shall be compensated at the rate of basic compensation of the employee performing such work on a holiday plus premium compensation at a rate equal to the rate of basic compensation of such employee.
- (2) Any employee who is required to perform any work on a holiday shall be compensated for at least two hours of work.
- (3) Overtime work on holidays shall be compensated in accordance with the provisions stated in 5a, above.

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6. LIMITATION ON COMPENSATION

- a. No overtime or holiday compensation shall be paid to an employee whose rate of basic compensation equals or exceeds the maximum scheduled rate of basic compensation provided for grade GS-15. At the effective date of this Notice, this rate is \$11,800 per annum, or \$453.85 per biweekly pay period.
- b. In the case of an employee whose rate of basic compensation is less than the maximum scheduled rate of basic compensation provided for GS-15, overtime or holiday compensation may be paid only to the extent that such payment would not cause his aggregate rate of compensation for that pay period to exceed the maximum scheduled rate with respect to any pay period (currently \$453.85).

7. RESPONSIBILITIES

a. OFFICE HEAD

- (1) It shall be the responsibility of the office head concerned or his deputy to review each "Request for Authorization of Overtime and Holiday Work" submitted by components under his jurisdiction and, if justified, to authorize the work to be performed provided that funds are available to pay for such work. This authority cannot be redelegated. "Requests for Authorization of Overtime and Holiday Work" may be consolidated by office heads into one summary for authentication by the office head.
- (2) Office heads shall give consideration to adjusting the tour of duty in those cases where overtime can be reduced by scheduling tours of duty for periods other than those prescribed in Agency Regulation [REDACTED]
- (3) Office heads will designate within their respective jurisdictions the supervisory level which will exercise the authorities and responsibilities defined in paragraph 7b below.

b. SUPERVISORS

- (1) Supervisors are responsible for scheduling the work which they are assigned so that it may be completed to the greatest extent possible during regular work hours. In establishing the time for completing scheduled work, consideration should be given to the time required to complete the assignment in relation to the regularly scheduled tour of duty.

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- (2) Supervisors are responsible for making the determination as to whether work assigned can or cannot be completed by the scheduled time of completion during regular work hours and, where required, shall initiate the "Request for Authorization of Overtime and Holiday Work."
- (3) Supervisors are responsible for the maintenance of accurate records covering overtime and holiday work and shall certify as to the work performed on the report as prescribed in paragraph 8, below.
- (4) Supervisors are responsible for ensuring that employees under their jurisdiction are afforded an opportunity to use compensatory time off. When it has been impossible to permit such opportunity, the appropriate supervisor will so certify to the office head concerned as a basis for authorizing overtime payment in accordance with paragraph 4g above.

c. COMPTROLLER

The Comptroller is responsible for reviewing the extent of use of overtime and holiday work and for making periodic reports and recommendations pertaining thereto to the Director, Deputy Directors, and office heads.

8. PROCEDURES

a. REQUEST FOR AUTHORIZATION OF OVERTIME AND HOLIDAY WORK

- (1) When overtime or holiday work is required to be performed, the supervisor responsible for scheduling the work shall initiate the Request for Authorization on Form No. 292 which is prescribed for such purpose (Attachment A). Authorizations for overtime or holiday work shall be limited to cover a period not in excess of four biweekly pay periods or the equivalent thereof. The request should clearly indicate the requirements broken down by pay period, the estimated number of man-hours and number of employees, and a statement of justification clearly indicating the purpose for which the overtime and/or holiday work is to be used, the type of personnel involved, and the reason why the work cannot be accomplished within the regularly prescribed work hours. The number of man-hours and number of employees will represent an estimate, but each office must review the requirements carefully in order to develop as accurate a forecast as possible. Consideration should be given to anticipated variations in workload, personnel leave schedules, and other factors which may cause fluctuations from pay period to pay period.
- (2) Separate requests shall be prepared for employees on vouchered and confidential funds payrolls.

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- (3) The request shall be signed by the supervisor and forwarded through normal administrative channels to the office head or his deputy.
- (4) The Request, Form No. 292, shall be prepared for distribution as follows:
 - (a) The original (signed) for the appropriate payroll office.
 - (b) A conformed (facsimile signature) copy for the office Budget and Fiscal Officers.
 - (c) A conformed copy to be retained by the supervisor.

Where a consolidated summary of individual Request forms is utilized by the office the foregoing distribution will apply to the consolidated summary as well as the individual Request forms. Individual Requests may be signed by means of a facsimile stamp when authentication is provided by a covering consolidated summary.

- (5) When an overtime estimate involves a period overlapping the end of the fiscal year, separate Requests shall be prepared to cover the period through 30 June and the period beginning 1 July.
- (6) If it appears necessary to increase an estimate already authorized, a supplemental Request must be submitted promptly.

b. REPORT OF OVERTIME AND HOLIDAY WORK PERFORMED

- (1) Supervisors will maintain an adequate check system to ensure that all overtime and/or holiday work claimed by employees under their jurisdiction was actually worked and will maintain a record of such work. No formal record is prescribed but it is suggested that a simple listing be maintained showing date, name of employee, hours worked, and the initials of each employee to confirm his record.
- (2) At the end of each pay period, a Form No. 293, Report of Overtime and Holiday Work Performed, Attachment B, shall be prepared and reviewed by the appropriate supervisor to determine that the Report is correct. The supervisor's signature on this Report constitutes approval of the work performed and a basis for compensation either as overtime pay or compensatory time off, as indicated. The Report shall be forwarded to the Time and Attendance Clerk who shall record the overtime and/or holiday work on the Time and Attendance Reports as compensation to be paid or credited as compensatory time off. These Reports shall accompany the Time and Attendance Reports when they are transmitted to the appropriate payroll office.

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- (3) The original signed copy of the Request for Authorization of Overtime and Holiday Work shall accompany the Time and Attendance Reports when they are transmitted to the appropriate payroll office. When more than one pay period is involved in a single request, the request shall be transmitted with the Time and Attendance Reports forwarded to the payroll office for the first pay period covered by the request.

9. EFFECTIVE DATE OF NOTICE

The policies, responsibilities, and procedures set forth in this Notice will be effective at the beginning of the first pay period which begins after 31 October 1954.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

L. K. WHITE
Deputy Director
(Administration)

DISTRIBUTION: AB

Attachments

- A - Form No. 292
- B - Form No. 293

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